

805 KAR 4:075. General blasting provisions.

RELATES TO: KRS 351.350

STATUTORY AUTHORITY: KRS Chapter 13A, 351.335

NECESSITY, FUNCTION, AND CONFORMITY: KRS 351.335 requires the Department for Natural Resources to promulgate rules and administrative regulations concerning the manufacture, transportation, sale, storage, or use of explosives and unassembled components of explosives, and the maintenance of such explosives which has a direct bearing on safety to life and property. This administrative regulation effects the provisions of that law.

Section 1. (1) An employer shall permit only authorized and qualified persons to handle and use explosives.

(2) Smoking, firearms, matches, open flame lamps, and other fires, flame, or heat producing devices and sparks shall be prohibited in or near explosive magazines or while explosives are being handled, transported, or used.

(3) No person shall be allowed to handle or use explosives while under the influence of intoxicating liquors, narcotics, or other dangerous drugs.

(4) All explosives shall be accounted for at all times. Explosives not being used shall be kept in a locked magazine, unavailable to persons not authorized to handle them. The employer shall maintain an inventory and use record of all explosives. Appropriate authorities shall be notified of any loss, theft, or unauthorized entry into a magazine.

(5) No explosives or blasting agents shall be abandoned.

(6) No fire shall be fought where the fire is in imminent danger of contact with explosives. All employees shall be removed to a safe area and the fire area guarded against intruders.

(7) Original containers or equivalent packaging materials, shall be used for taking detonators and other explosives from storage magazines to the blasting area.

(8) When blasting is done in congested areas or in proximity to a structure, railway, or highway, or any other installation that may be damaged, the blaster shall take special precautions in the loading, delaying, initiation, and confinement of each blast with mats or other methods so as to control the throw of fragments, and thus prevent bodily injury or death.

(9) Employees authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution including, but not limited to, visual and audible warning signals, flags, or barricades, to ensure safety to all persons.

(10) In so far as possible, blasting operations above ground shall be conducted between sunup and sundown.

(11) Empty boxes and paper and fiber packing materials which have previously contained high explosives shall not be used again for any purpose, but shall be destroyed by burning at an approved location.

(12) Explosives, blasting agents, and blasting supplies that are obviously deteriorated or damaged shall not be used.

(13) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or approved temporary storage or handling areas.

(14) Blasting operations in the proximity of overhead power lines, communication lines, utility services, or other services or structures shall not be carried on until the operators and/or owners have been notified at least twenty-four (24) hours in advance and measures for safe control have been taken.

(15) The use of black powder shall be prohibited, except when a desired result cannot be obtained with another type of explosive such as in quarrying certain types of dimension stone.

(16) All loading and firing shall be directed and supervised by competent persons thoroughly ex-

perienced in this field.

(17) No one shall be permitted to carry detonators or primers of any kind on his person; provided, however, that it shall not be unlawful to carry detonators or primers in one's hands. (2 Ky.R. 610; 3 Ky.R. 319; eff. 9-1-1976; 4 Ky.R. 303, 427; eff. 5-3-1978; 17 Ky.R. 3268; eff. 6-26-1991; TAm eff. 8-9-2007; Crt eff. 6-27-2018.)